



# Public Notice

**U.S. Army Corps  
of Engineers**  
Honolulu District

Public Notice No.  
**200100500**

Date:  
**August 15, 2001**

Reply to:  
U.S. Army Engineer District, Honolulu  
Regulatory Branch, CEPOH-EC-R  
Building 230  
Fort Shafter, Hawaii 96858-5440

Respond by:  
N/A

## **NATIONWIDE PERMIT REISSUANCE REQUEST FOR COMMENTS AND PUBLIC HEARING**

On August 9, 2001, the U.S. Army Corps of Engineers published in the Federal Register its proposal to reissue the Nationwide Permits (NWP).

The U.S. Army Corps of Engineers Headquarters Office will conduct a public hearing in Washington, D.C., on September 12, 2001, at the GAO Building, 7<sup>th</sup> floor auditorium. The intent of this hearing is to solicit public comments, both oral and written, on the NWP Program as a whole or on individually proposed NWPs on a national level. The public record for this hearing will conclude at close of business September 22, 2001. This date is separate from the Federal Register notice closing date for the receipt of written comments. For further information on the hearing or the proposed NWPs, please contact Mr. Rich White at (202) 761-4599 or Mr. Sam Collinson, at (202) 761-4594.

NWPs are general permits issued on a nationwide basis to authorize minor activities with minimal evaluation time. Some activities authorized by NWPs require pre-construction notification to the District Engineer before commencing with the work. This notification requirement to the District Engineer is necessitated to ensure that activities authorized by these NWPs have minimal individual and cumulative adverse impacts on the aquatic environment.

This notice is the public's opportunity to comment on the proposed re-issuance of existing NWPs and conditions. Comments on a national issues relating to these NWPs should be sent to the GAO Building, Office of the Chief of Engineers, Regulatory Branch (ATTN: CECW-OR), 441 G Street, N.W., Washington, D.C. 20314-1000. Comments on the proposed new and modified NWPs are due by September 24, 2001.

For those NWPs that result in a discharge into waters of the United States, an individual State Section 401 Water Quality Certification or waiver is required. Additionally, State Coastal Zone Management Act consistency concurrence or waiver is required for those NWP activities within or affecting the State's Coastal Zone. The Corps believes, in general, that these NWPs comply with State Water Quality Certification standards and are consistent with State Coastal Zone Management Plans. However, Corps Districts are working individually with the appropriate State agencies to identify and resolve any issues before finalizing these NWPs.

Provisional determinations, including environmental documents, have been prepared indicating that these NWPs comply with the requirements for issuance under general permit authority. These documents, as well as the proposed NWPs, are available for viewing on the Internet at the addresses listed below or at the Honolulu Engineer District Regulatory Branch. You may contact Ms. Lolly Silva at (808)438-7023 for further information.

The Corps will prepare final decision documents when the NWPs are issued or modified. These documents will be available as indicated in the preceding paragraph.

Enclosed is an index of the proposed NWPs, general conditions and definitions. You may obtain a full text copy of the NWPs through the Corps Home Page or GPO Federal Register address listed below.

*Internet addresses:*

<http://www.usace.army.mil/inet/functions/cw/cecwo/reg/>.

As an alternate, World Wide Web users can access the Federal Register through the Government Printing Office (GPO) at <http://www.access.gpo.gov/>.

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**Index of Nationwide Permits, Conditions, Further Information, and Definitions**

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***Proposed Nationwide Permits***

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Maintenance
8. Oil and Gas Structures
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Utility Line Activities
13. Bank Stabilization
14. Linear Transportation Projects\*
15. U.S. Coast Guard Approved Bridges
16. Return Water From Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Oil Spill Cleanup
21. Surface Coal Mining Activities\*
22. Removal of Vessels
23. Approved Categorical Exclusions
24. State Administered Section 404 Programs
25. Structural Discharges
26. *RESERVED*
27. Stream and Wetland Restoration Activities\*
28. Modifications of Existing Marinas
29. Single-family Housing
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities\*
32. Completed Enforcement Actions
33. Temporary Construction, Access and Dewatering
34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation\*
38. Cleanup of Hazardous and Toxic Waste
39. Residential, Commercial, and Institutional Developments\*
40. Agricultural Activities\*
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities\*
43. Stormwater Management Facilities\*
44. Mining Activities

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**Nationwide Permit General Conditions**

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1. Navigation
2. Proper Maintenance
3. Soil Erosion and Sediment Controls
4. Aquatic Life Movements\*
5. Equipment
6. Regional and Case-by-Case Conditions
7. Wild and Scenic Rivers
8. Tribal Rights
9. Water Quality\*
10. Coastal Zone Management
11. Endangered Species
12. Historic Properties
13. Notification\*
14. Compliance Certification
15. Use of Multiple Nationwide Permits.
16. Water Supply Intakes
17. Shellfish Beds
18. Suitable Material
19. Mitigation\*
20. Spawning Areas
21. Management of Water Flows\*
22. Adverse Effects from Impoundments
23. Waterfowl Breeding Areas
24. Removal of Temporary Fills
25. Designated Critical Resource Waters
26. Fills Within 100-year Floodplains\*
27. Construction Period \*

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**Definitions**

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Best Management Practices	Permanent Above-grade Fill
Compensatory Mitigation	Preservation
Creation	Restoration
Enhancement	Riffle and Pool Complex
Ephemeral Stream	Single and Complete Project
Farm Tract	Stormwater Management
Flood Fringe	Stormwater Management Facilities
Floodway	Stream Bed
Independent Utility	Stream Channelization
Intermittent Stream	Tidal Wetland
Loss of Waters of the United States	Vegetated Buffer
Non-tidal Wetland	Vegetated Shallows
Open Water	Waterbody

**\* Proposed change, simplification or modification to NWP or General Condition**